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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,871	03/26/2004	Hiroyuki Ishida	Q80129	7622
23373	7590	09/30/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			DUNWIDDIE, MEGHAN K	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AA

**Office Action Summary**

Application No.

10/809,871

Applicant(s)

ISHIDA ET AL.

Examiner

Meghan K. Dunwiddie

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13 and 14 is/are allowed.
- 6) ☒ Claim(s) 1-12 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/26/04</u> | 6) <input type="checkbox"/> Other: ____.  |

### **DETAILED ACTION**

This Office Action is a Non-Final Rejection in response to the amendment filed on August 16, 2004 by **Ishida et al.**

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on March 26, 2004 is in compliance with the provisions of 37 CFR 1.97, accordingly, the information disclosure statement is being considered by the examiner.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 7, 8, 10, and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 7, 8, 10, and 12 recite the limitation "an angular range of about 50 degrees with respect to a central axis". It is unclear as to whether or not there is a

reference point in which the angular range starts and stops. The examiner is interpreting Claims 7, 8, 10, and 12 as stating the angular range of about 50 degrees with respect to a central axis and starting at the central axis.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-6, 9, 11, and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over **Amano** (US 6814475) in view of **Naganawa** (US 6637914).

8. Regarding Claim 1, **Amano** shows a headlamp for a vehicle [Figure 2: (10)], said headlamp [Figure 2: (10)] having a first light distribution pattern comprising:

- A first light source [Figure 2: (22)] including,
- A first semiconductor light emitting unit [Figure 2: (28)] in which a substantially rectangular first light emitting chip [Figure 2: (28)] is covered by a substantially hemispherical first mold lens [Figure 2: (24)],
- And a first reflector [Figure 2: (26)] reflecting light emitted from the first light source [Figure 2: (22)] toward a front part of a lighting unit [Figure 2: (20)],

- Wherein the first light source [Figure 2: (22)] is oriented such that the first light emitting chip [Figure 2: (28)] is positioned substantially with a side of the light emitting chip [Figure 2: (28)] that is set substantially horizontally.

9. **Amano** does not show:

- A horizontal cutoff line.

10. **Naganawa** teaches:

- A horizontal cutoff line [Figure 3: (CL1)].

11. It would have been obvious for one of ordinary skill in the art, at the time of the invention to have a horizontal cutoff line as taught by **Naganawa** in the headlamp of **Amano** for the purpose and advantage of producing a low beam light distribution pattern and preventing a glare imparted to oncoming traffic.

12. Regarding Claim 2, **Amano** shows:

- Said headlamp [Figure 1: (10)] having a second light distribution pattern comprising:
  - A second light source [Figure 2: (42)] including,
  - A second semiconductor light emitting unit [Figure 2: (48)] in which a substantially rectangular second light emitting chip [Figure 2: (48)] is covered with a second substantially hemispherical mold lens [Figure 2: (44)],

Art Unit: 2875

- And a second reflector [Figure 2: (46)] reflecting light emitted from the second light source [Figure 2: (42)] toward a front part of said lighting unit [Figure 2: (40)],
- Wherein the second light source [Figure 2: (42)] is oriented such that the second light emitting chip [Figure 2: (48)] is inclined downward at said angle with respect to a horizontal direction with a side of the second light emitting chip [Figure 2: (48)] that is set substantially horizontally.

13. **Amano** does not show:

- A horizontal cutoff line,
- An oblique cutoff line.

14. **Naganawa** teaches:

- A horizontal cutoff line [Figure 3: (CL1)],
- An oblique cutoff line [Figure 3: (CL2)].

15. It would have been obvious for one of ordinary skill in the art, at the time of the invention to have a horizontal cutoff line as taught by **Naganawa** in the headlamp of **Amano** for the purpose and advantage of producing a low beam light distribution pattern and preventing a glare imparted to oncoming traffic.

16. Regarding Claim 3, **Amano** shows:

- Wherein the first reflector [Figure 2: (26)] and the second reflector [Figure 2: (46)] are formed integrally with one another [Figure 2].

17. **Amano** does not show:

- A horizontal cutoff line,
- An oblique cutoff line.

18. **Naganawa** teaches:

- A horizontal cutoff line [Figure 3: (CL1)],
- An oblique cutoff line [Figure 3: (CL2)].

19. It would have been obvious for one of ordinary skill in the art, at the time of the invention to have a horizontal cutoff line as taught by **Naganawa** in the headlamp of **Amano** for the purpose and advantage of producing a low beam light distribution pattern and preventing a glare imparted to oncoming traffic.

20. Regarding Claim 4, **Amano** shows:

- Wherein said first reflector [Figure 2: (26)] and said second reflector [Figure 2: (46)] are integrally formed on a common holder [Figure 2] positioned therebetween.

21. **Amano** does not show:

- A horizontal cutoff line,
- An oblique cutoff line.

22. **Naganawa** teaches:

- A horizontal cutoff line [Figure 3: (CL1)],
- An oblique cutoff line [Figure 3: (CL2)].

23. It would have been obvious for one of ordinary skill in the art, at the time of the invention to have a horizontal cutoff line as taught by **Naganawa** in the headlamp of **Amano** for the purpose and advantage of producing a low beam light distribution pattern and preventing a glare imparted to oncoming traffic.

24. Regarding Claim 5, **Amano** shows the claimed invention as cited above, but does not specifically teach wherein said angle is about 15 degrees.

25. **Naganawa** teaches:

- Wherein said angle is about 15 degrees [See column 6 lines 1-6].

26. It would have been obvious for one of ordinary skill in the art, at the time of the invention to provide an fifteen degree angle between the horizontal and oblique cutoff lines as taught by **Naganawa** in the headlamp of **Amano** for the purpose and



Art Unit: 2875

advantage of producing a low beam light distribution pattern and preventing a glare imparted to oncoming traffic.

27. Regarding Claim 6, **Amano** shows the claimed invention as cited above, but does not specifically teach wherein the angle is 15 degrees.

28. **Naganawa** teaches:

- Wherein said angle is 15 degrees [See column 6 lines 1-6].

29. It would have been obvious for one of ordinary skill in the art, at the time of the invention to provide an fifteen degree angle between the horizontal and oblique cutoff lines as taught by **Naganawa** in the headlamp of **Amano** for the purpose and advantage of producing a low beam light distribution pattern and preventing a glare imparted to oncoming traffic.

30. Regarding Claim 9, **Amano** shows:

- Said first reflector [Figure 2: (26)] further comprising inner and outer peripheral sides that receive light generated at a peripheral region of the first light emitting chip [Figure 2: (28)]:

31. **Amano** does not show:

- A horizontal cutoff line.

Art Unit: 2875

32. **Naganawa** teaches:

- A horizontal cutoff line [Figure 3: (CL1)].

33. It would have been obvious for one of ordinary skill in the art, at the time of the invention to have a horizontal cutoff line as taught by **Naganawa** in the headlamp of **Amano** for the purpose and advantage of producing a low beam light distribution pattern and preventing a glare imparted to oncoming traffic.

34. Regarding Claim 11, **Amano** shows:

- Said second reflector [Figure 2: (46)] further comprising inner and outer peripheral sides that receive light generated at a peripheral region of the second light emitting chip [Figure 2: (48)].

35. **Amano** does not show:

- A horizontal cutoff line,
- An oblique cutoff line.

36. **Naganawa** teaches:

- A horizontal cutoff line [Figure 3: (CL1)],
- An oblique cutoff line [Figure 3: (CL2)].

Art Unit: 2875

37. It would have been obvious for one of ordinary skill in the art, at the time of the invention to have a horizontal cutoff line as taught by **Naganawa** in the headlamp of **Amano** for the purpose and advantage of producing a low beam light distribution pattern and preventing a glare imparted to oncoming traffic.

38. Regarding Claim 15, **Amano** shows a headlamp [Figure 2: (10)] having a light distribution pattern comprising:

- Means for generating a first light output and a second light output [Figure 2: (22 and 42)];
- And means for reflecting [Figure 2: (26 and 46)] said first light output and said second light output [Figure 2: (22 and 42)] from said means for generating toward a front of a lighting.

39. **Amano** does not show:

- A horizontal cutoff line and an oblique cutoff line, the horizontal cutoff line at an angle.

40. **Naganawa** teaches:

- A horizontal cutoff line and an oblique cutoff line, the horizontal cutoff line at an angle [See column 6 lines 1-11].

Art Unit: 2875

41. It would have been obvious for one of ordinary skill in the art, at the time of the invention to provide a horizontal and oblique cutoff lines, the horizontal cutoff line at an angle as taught by **Naganawa** in the headlamp of **Amano** for the purpose and advantage of producing a low beam light distribution pattern and preventing a glare imparted to oncoming traffic.

***Allowable Subject Matter***

42. Claims 13 and 14 are allowed.

43. Claims 7, 8, 10, and 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meghan K. Dunwiddie whose telephone number is (571) 272-8543. The examiner can normally be reached on Monday through Friday 8 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571)272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKD

  
Stephen Husar  
Primary Examiner